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# NEWS RELEASE

Release Number: **S.C. 51/09**

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## **Summary of Cases Accepted During the Week of December 21, 2009**

*[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The statement of the issue or issues in each case set out below does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]*

**#09-85 *O'Neil v. Crane Co., S177401.*** (B208225; 177 Cal.App.4th 1019; Los Angeles County Superior Court; BC360274.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issue: Can the manufacturer of valves and fittings installed on Navy ships, and designed to be used with asbestos packing, gaskets, and insulation, rely on the “component parts” defense or related theories to preclude strict liability for asbestosis injuries years later suffered by seamen on those ships?

**#09-86 *United Teachers Los Angeles v. Los Angeles Unified School Dist., S177403.*** (B214119; 177 Cal.App.4th 863; Los Angeles County Superior Court; BS116739.) Petition for review after the Court of Appeal reversed an order denying a petition to compel arbitration. This case presents the following issue: Can a school district be required to arbitrate disputes over the granting of a charter school petition under the terms of a collective bargaining agreement, or does Education Code section 47611.5, subdivision (e), preclude referring such a dispute to arbitration?

### **STATUS**

**#08-168 *Pearson Dental Supplies, Inc. v. Superior Court, S167169.***

The court invited the parties to file supplemental briefs addressing the following question: Was the arbitrator’s award subject to vacatur under Code of Civil Procedure section 1286.2, subdivision (a)(5), on the grounds that the arbitrator’s failure to properly apply the tolling statute (Code Civ. Proc., §1281.12) constituted “conduct of the arbitrator[] contrary to the provisions of this title” that substantially prejudiced the

rights of a party? (Code Civ. Proc., § 1286.2, subd. (a)(5).)

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